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From: Michele Morrow Legal Assistant to Francis Lammes	No. of Pages Including Cover Sheet: 29
Message: Enclosed herewith: <ul style="list-style-type: none">• Transmittal Document; and• Appeal Brief.	
Re: Application No. 09/439,130 Attorney Docket No: JA9-98-217	
Date: Tuesday, August 09, 2005	
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AUG 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sakaguchi

Serial No.: 09/439,130

Filed: November 12, 1999

For: Method and System for Collaborating Among Interconnected Client Terminals

36736

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840.

Group Art Unit: 2157

Examiner: Burgess, Barbara N.

Attorney Docket No.: JA9-98-217

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

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By:

Michele Morrow
Michele Morrow

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWTH:

- **Appeal Brief** (37 C.F.R. 41.37).

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0461. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

Respectfully submitted,

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Docket No. JA9-98-217


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AUG 09 2005

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **Sakaguchi**Serial No. **09/439,130**Filed: **November 12, 1999**For: **Method and System for
Collaborating Among Interconnected
Client Terminals**§
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§Group Art Unit: **2157**Examiner: **Burgess, Barbara N.****Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450****Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

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By:


Michele Morrow**APPEAL BRIEF (37 C.F.R. 41.37)**

This brief is in furtherance of the Notice of Appeal, filed in this case on June 9, 2005.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

08/10/2005 NNGUYEN1 00000012 090461 09439130

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(Appeal Brief Page 1 of 27)
Sakaguchi - 09/439,130

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1, 5, 7, 8, and 12-24.

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: 2-4, 6, and 9-11.
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1, 5, 7, 8, and 12-24.
4. Claims allowed: NONE
5. Claims rejected: 1, 5, 7, 8, and 12-24.
6. Claims objected to: NONE

C. CLAIMS ON APPEAL

The claims on appeal are: 1, 5, 7, 8, and 12-24.

STATUS OF AMENDMENTS

There are no amendments after the final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER***Independent claim 1:***

The present invention provides a method of communicating on a communication system having a client terminal connecting a server through a network and collaborating with other client terminals connected to said network. (Specification, page 11, lines 17-23) The present invention generates an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. (Specification, page 17, line 6, to page 18, line 3) The present invention acquires an image file name from said server. (Specification, page 19, lines 4-9) The present invention converts said image file to generate a predetermined formed compressed image data which has a file name relating to said image file name. (Specification, page 18, lines 17-29) The present invention sends said predetermined formed compressed image data to said server. (Specification, page 19, lines 10-12) The present invention posts the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal. (Specification, page 19, lines 13-14)

Independent claim 5:

The present invention provides a client terminal connecting a server through a network and collaborating with other client terminals connected to said network. (Specification, page 11, lines 17-23) The present invention has a screen range selector for specifying a screen range in response to operation for specifying screen range by an operator. (Specification, page 14, lines 6-8) The present invention has an image file generator for acquiring an image according to said screen range and generating an image file. (Specification, page 14, lines 8-9) The present invention has a file acquisition for acquiring an original name from said server. (Specification, page 14, lines 11-13) The present invention has an image file converter for converting said image file to generate a predetermined formed compressed image data. (Specification, page 14, lines 10-11) The present invention has a file transmitter for sending to said server said predetermined formed compressed

image data which has a file name relating to said original name. (Specification, page 14, lines 14-15) The present invention has a posting division for posting the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal. (Specification, page 14, lines 15-16)

Independent claim 7:

The present invention provides a communication system having a first and a second client terminal connecting with a network and a server connecting said first and a second terminal through said network. (Specification, page 11, lines 17-23) The present invention has an image file generator for, in response to operation for specifying a screen range by an operator, generating an image file according to said operation. (Specification, page 14, lines 8-9) The present invention has a file name acquisition division for acquiring an original name from said server. (Specification, page 14, lines 11-13) The present invention has an image file converter for converting said image file to generate a predetermined formed compressed image data. (Specification, page 14, lines 10-11) The present invention has a file transmitter for sending to said server said predetermined formed compressed image data which has a file name relating to said original name. (Specification, page 14, lines 14-15) The present invention has a posting division for posting the name of said predetermined formed compressed image data to said second client terminal. (Specification, page 14, lines 15-16) The present invention has a server comprising a file name generator for generating an original name capable of uniquely identifying said first client terminal in response to a request from said first client terminal and posting it to said first client terminal. (Specification, page 24, lines 7-15) The present invention has a second client terminal for displaying said predetermined formed compressed image data of said server on a Web browser on said second client terminal based on the name of said predetermined formed compressed image data sent from said first client terminal. (Specification, page 24, lines 7-15)

Independent claim 8:

The present invention provides a storage medium storing a software product for connecting a server through a network and controlling communication performed on a communication system having a client terminal collaborating with other client terminals connected to said network.

(Specification, page 11, lines 17-23) The present invention directs said client terminal to generate an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. (Specification, page 17, lines 19-24) The present invention directs said client terminal to acquire an image file name from said server. (Specification, page 18, line 20 to page 19, line 3)

The present invention directs said client terminal to convert said image file and generate a predetermined formed compressed image data which has a file name relating to said image file name acquired from said server. (Specification, page 18, lines 17-19) The present invention directs said client terminal to send predetermined formed compressed image data to said server.

(Specification, page 18, lines 10-12) The present invention directs said client terminal to post the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal. (Specification, page 18, lines 13-14)

GROUND OF REJECTION TO BE REVIEWED ON APPEAL**A. GROUND OF REJECTION (Claims 1, 5, 7, 8, and 12-24)**

Claims 1, 5, 7, 8, and 12-24 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Hunt et al. (U.S. Patent No. 5,764,235) in view of Anupam et al. (U.S. Patent No. 5,862,330).

ARGUMENT**A. GROUND OF REJECTION (Claims 1, 5, 7, 8, and 12-24)**

The Office Action rejects claims 1, 5, 7-8 and 12-24 under 35 U.S.C. § 103(a) as being unpatentable over Hunt et al. (U.S. Patent No. 5,764,235) in view of Anupam et al. (U.S. Patent No. 5,862,330). This rejection is respectfully traversed.

A1. Claims 1, 5, 7, and 8

As to claims 1, 5, 7 and 8, the Office Action, dated June 4, 2004, states:

As per claims 1, 5, 7-8, Hunt discloses:

- Generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range (column 2, lines 34-40, column 3, lines 3-4, 6-10, 18-20, 47-52, column 5, lines 1-5, column 9, lines 40-42, column 11, lines 5-9, 31-33, 35-37, 40-42, column 12, lines 20-23, 49-51);
- Acquiring an image file name from said server (column 5, lines 34-55, column 9, lines 29-42, column 10, column 12, lines 1-25);
- Converting said image file to generate a predetermined formed compressed image data which has a file name relating to said unique image file name (column 1, lines 48-51, column 8, lines 50-52, column 9, lines 6-15);
- Sending said predetermined formed compressed image data to said server (column 5, lines 18-33, 65-67, column 8, lines 31-52)

Hunt does not explicitly disclose:

- Posting the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal.

However, in an analogous art, Anupam discloses creating and joining a collaborative browsing session. When there is a change in URL, the new URL is communicated to the other collaborators in the session (abstract, column 3, lines 25-41, 60-67, column 4, lines 5-15, 31-40, column 5, lines 35-55). Anupam, therefore, discloses posting the file name of predetermined formed compressed image data to the client terminals collaborating with said client terminal.

Therefore, one of ordinary skill in art at the time the invention was made would have found it obvious to incorporate or implement posting a file name of image data to the client terminals collaboration with client terminal in Hunt's method in order to display new URL's to the other computers in the collaborating session.

Claim 1, which is representative of the other rejected independent claims 5, 7 and 8 with regard to similarly recited subject matter, reads as follows:

1. A method of communicating on a communication system having a client terminal connecting a server through a network and collaborating with other client terminals connected to said network, said method comprising the steps of:
 - (a) generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range;
 - (b) acquiring an image file name from said server;
 - (c) converting said image file to generate a predetermined formed compressed image data which has a file name relating to said image file name;
 - (d) sending said predetermined formed compressed image data to said server; and
 - (e) posting the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal.

Neither Hunt nor Anupam, taken alone or in combination, teaches or suggests generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. The Office action alleges that Hunt teaches this feature at column 2, lines 34-40, column 3, lines 3-4, 6-10, 18-20, 47-52, column 5, lines 1-5, column 9, lines 40-42, column 11, lines 5-9, 31-33, 35-37, 40-42, and column 12, lines 20-23, 49-51, which read as follows:

a request for a graphical image from a client machine, the graphical image being stored on the server machine and having a predetermined total image size; obtaining image control information; determining an appropriate amount of data for the graphical image to be transmitted based on at least the image control information

(Column 2, lines 34-40)

sending image control information from the client machine to the server machine

(Column 3, lines 3-4)

determined amount being based on at least the image control information. Preferably, the determined amount is a reduced amount, and the graphical image file received also has a determined format based on at least the image control information

(Column 3, lines 6-10)

receive the request and the client image control information from the client machine, determine an appropriate amount of data for the graphical image file requested

(Column 3, lines 18-20)

Another advantage is that a user has a choice as to the amount of a graphical image file needed depending on an intended use for the image. For example, if images are simply being displayed in a small one inch by one inch arrangement, then only a small amount of the graphical image file need be transmitted.

(Column 3, lines 47-52)

Each such image is stored on the server 102 as an image file. The client 104 sends a request for an image over a link 106 to the server 102. The server 102 then in turn sends an appropriate amount of data for the corresponding image file to the client 104 over a link 108.

(Column 5, lines 1-5)

As an example, the request would identify the graphical image file desired together with a total image size and a requested quality level.

(Column 9, lines 40-42)

the web server processing 1000 determines 1008 an image format and file size for the requested graphical image file. In effect, the determining 1008 customizes the graphical image file based on criteria such as user's conditions, server's conditions, user's request or author's preference.

(Column 11, lines 5-9)

The image customization processing 1100 initially obtains 1102 image control data from the web browser (client image control data).

(Column 11, lines 31-33)

Next, a decision 1106 determines whether the image control data from the web browser includes a user request.

(Column 11, lines 35-37)

If not, the file size for the determined image file is set 1108 to user_size, which indicates that the file size is set by a user's choice or expected choice.

(Column 11, lines 40-42)

When the user intends to use the graphical image file for display on a display device, the format includes a display format suitable for the display device associated with the web browser

(Column 12, lines 20-23)

The user preference could be a user selected choice of quality versus size for image files or something that is predicted for the user.

(Column 12, lines 49-51)

While all of these sections may relate to sending images from a client to a server, there is nothing in these sections, or any other section of Hunt, that teaches generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. There is no mention whatsoever in the Hunt reference as to selecting a screen range from a client terminal and generating an image based on image data from the specified screen range. Hunt only teaches a method and system for transmitting graphical images from a server to a client in response to a client request. There is no need in the system of Hunt to select a screen range from a client terminal and generate an image based on image data from the specified screen range.

The Office Action, dated June 4, 2004, on page 6 states:

Hunt explicitly discloses the operator of the client machine specifying image control information. The image is customized according to the need of the client computer (column 2, lines 34-40, column 3, lines 3-4, 6-10, 18-20, 47-52, column 5, lines 1-5, column 9, lines 40-42, column 11, lines 5-9, 31-33, 35-37, 40-42, and column 12, lines 20-23, 49-51).

Appellants respectfully disagree that any of these sections teaches or suggests generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. Hunt teaches in column 2, lines 31-43, that a graphical image is transmitted from a server machine to a client machine by receiving, at the server machine, a request for a graphical image from a client machine, the graphical image being stored on the server machine and having a predetermined total image size; obtaining image control information; determining an appropriate amount of data for the graphical image to be transmitted based on at least the image control information, the appropriate amount being less than or equal to the predetermined total

image size; and transmitting the graphical image to the extent of the appropriate amount from the server machine to the client machine.

Hunt further teaches at column 9, lines 37-45, that the client processing 700 initially requests 702 a graphical image file from the server (server machine) 102. As an example, the request would identify the graphical image file desired together with a total image size and a requested quality level. Then, a decision 704 determines whether the customization flag is set at the client 104. If the decision block 704 determines that the customization flag is set, then image control data is sent 706 from the client to the server 102. The image control data is taught at column 12, lines 44-54, that the client image control data can, for example, include two basic types of data: user data and client system data. The user data includes, for example, user preference, intended use, and a specific quality level request. The intended use, for example, is for display or for printing a particular size graphical image. The user preference could be a user selected choice of quality versus size for image files or something that is predicted for the user. The client system data, for example, includes compression schemes supported by the client and server, transmission performance data, equipment information.

These sections of Hunt clearly show that the client requests an image from the server, and based on client image control data, which is included in the request, an image is sent by the server to the client that meets with the client image control data. Nowhere in the Hunt reference, is it taught that the client selects a screen range from a client terminal and generates an image based on image data from the specified screen range. Hunt only teaches a method and system for transmitting graphical images from a server to a client in response to a client request. There is no need in the system of Hunt to select a screen range from a client terminal and generate an image based on image data from the specified screen range.

In response to these arguments, the Examiner stated in the Final Office Action dated March 9, 2005:

Hunt discloses sending to the server from the client image control information. The information includes data or information obtained from the client that is useful in determining both the suitable amount of data and/or format for the graphical image files to be sent. The user has a choice as to the amount of graphical image file needed. For example, if images are simply being displayed in a small one-inch by one-inch arrangement, then only a small amount of the graphical image file need to be transmitted. Hunt plainly discloses the operator of the client machine specifying image control information takes into account the

screen range. As stated above, it could be one by one inch arrangement (screen size). The arrangement is the screen range. The size of the arrangement (screen size) is specified by the user in the image control information (column 2, lines 34-40, column 3, lines 3-4, 6-10, 18-20, 47-52, column 5, lines 1-5, column 9, lines 40-42, column 11, lines 5-9, 31-33, 35-37, 40-42, column 12, lines 20-33, 49-51). Therefore, Hunt discloses generating an image file in response to an operator of a client terminal specifying screen range of said terminal, wherein the image file is generated based on image data from the specified screen range.

Appellant respectfully submits that the Examiner's interpretation of these sections of Hunt is inconsistent with the actual teaching of Hunt. That is Hunt teaches a system where a user requests a graphical image file from the server. The request identifies the graphical image file together with a total image size and a requested quality level (see column 9, lines 38-54). While the total image size of the graphical image file may specify that the image is to be transmitted in a one-inch by one-inch size, the user may also specify that the graphical image file be transmitted in a two-inch by three-inch size, full screen size, page size, poster size or full size. (see Figure 6A) Thus, the graphical image file is the same no matter the size. Additionally, Hunt describes that the user may specify the quality of the file to be sent. That is, Hunt allows the user to specify if the user wants a very high quality image or a very low quality image. However, the graphical image file is the same no matter the quality.

The present invention generates an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. In Hunt, there is no image generated based upon the user selection of a portion of the displayed screen on the client terminal. Hunt merely allows a user to select one of a plurality of graphical image files that are previously stored on a server. In selecting one of the previously stored images, the user specifies the total image size to be transmitted and the requested quality of the graphical image file. Hunt does not generate an image file based on the user specifying a portion of the screen displayed on the client terminal.

The Examiner's allegation that the user specifying a total size for the graphical image file to be a one by one inch arrangement (screen size), where the arrangement is the screen range is contrary to the teaching of Hunt. Hunt teaches that if the user wants to display the selected images, which are stored on the server, the user may select one-inch by one-inch files to be transmitted to the user so they may be displayed on the client terminal. However, the one-inch

by one-inch graphical image files are not generated at the client terminal but rather selected from a plurality of graphical image files stored on a server.

In the Final Office Action, the Examiner further states:

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce that claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, combining Hunt and Anupam would enable new URL's to be displayed in order to display new URL's to other computers in the collaboration session.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based on hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill in the art at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Appellant respectfully submits that, since Hunt and Anupam, taken alone or in combination, fail to teach or suggest generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, there is no suggestion in either of the references to modify the references to include such features. That is, there is no teaching or suggestion in Hunt or Anupam that a problem exists for which generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range, is a solution. To the contrary, Hunt only transmits graphical images from a server to a client in response to a client request. Anupam teaches transmitting updated URL information to a collaborative session. Neither of the references even recognizes a need to select a screen range from a client terminal and generate an image based on image data from the specified screen range.

One of ordinary skill in the art, being presented only with Hunt and Anupam, and without having a prior knowledge of Appellant's claimed invention, would not have found it obvious to combine and modify Hunt and Anupam to arrive at Appellant's claimed invention. To the contrary, even if one were somehow motivated to combine Hunt and Anupam, and it were

somehow possible to combine the systems, the result would not be the invention, as recited in claim 1. The resulting system still would not select a screen range from a client terminal and generate an image based on image data from the specified screen range.

Thus, neither Hunt nor Anupam, either alone or in combination, teach or suggest all of the features in independent claims 1, 5, 7 and 8. At least by virtue of their dependency on claims 1, 5, 7 and 8, the specific features of claims 12-24 are not taught or suggested by Hunt and Anupam, taken alone or in combination. Accordingly, Appellant respectfully requests that the rejection of claims 1, 5, 7, 8, and 12-24 under 35 U.S.C. § 103(a) not be sustained.

A2. Claims 12, 17, and 20

With regard to claims 12, 17 and 20, the combination of Hunt and Anupam does not teach or suggest where the operator specifies a screen range of said client terminal by manipulating a mouse to define a frame, wherein the frame encloses the screen range. The Office Action alleges that Hunt teaches this feature. As discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to manipulate a mouse to define a frame that would enclose a screen range. Accordingly, Appellant respectfully requests that the rejection of claims 12, 17, and 20 under 35 U.S.C. § 103(a) not be sustained.

A3. Claims 13, 18, and 21

With regard to claims 13, 18 and 21, the combination of Hunt and Anupam does not teach or suggest where the operator specifies a screen range of said client terminal by selecting an application window, wherein a frame of the application window defines the screen range. The Office Action alleges that Hunt teaches this feature. Again, as discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to specify a screen range of a client terminal by selecting an application window that defines the screen range.

Accordingly, Appellant respectfully requests that the rejection of claims 13, 18, and 21 under 35 U.S.C. § 103(a) not be sustained.

A4. Claims 14, 19, and 22

With regard to claims 14, 19 and 22, the combination of Hunt and Anupam does not teach or suggest acquiring a device context of a desktop window and generating a desktop window image corresponding to the device context of the desktop window, wherein the screen range is a portion of the desktop window. The Office Action alleges that Hunt teaches this feature. Once again, as discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to acquire a device context of a desktop window and generate a desktop window image corresponding to the device context of the desktop window. Accordingly, Appellant respectfully requests that the rejection of claims 14, 19, and 22 under 35 U.S.C. § 103(a) not be sustained.

A5. Claims 15, 16, 23, and 24

As a final example, with regard to claims 15, 16, 23 and 24 the combination of Hunt and Anupam does not teach or suggest wherein the operator of said client terminal specifies the screen range during a capture mode, as recited in claims 15 and 23 or suspending the capture mode, receiving input from the operator to activate a hidden window image and resuming the capture mode, as recited in claims 16 and 24. The Office Action alleges that Hunt teaches this feature. Once again, as discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to make use of a capture mode to specify the screen range. In fact, the term "capture mode" does not appear in the Hunt reference. Accordingly, Appellant respectfully requests that the rejection of claims 15, 16, 23, and 24 under 35 U.S.C. § 103(a) not be sustained.

CONCLUSION

In view of the above, Appellant respectfully submits that claims 1, 5, 7, 8, and 12-24 are allowable over the cited prior art and that the application is in condition for allowance. Accordingly, Appellant respectfully requests the Board of Patent Appeals and Interferences to not sustain the rejections set forth in the Final Office Action.



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CLAIMS APPENDIX

The text of the claims involved in the appeal are:

1. A method of communicating on a communication system having a client terminal connecting a server through a network and collaborating with other client terminals connected to said network, said method comprising the steps of:

(a) generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range;

(b) acquiring an image file name from said server;

(c) converting said image file to generate a predetermined formed compressed image data which has a file name relating to said image file name;

(d) sending said predetermined formed compressed image data to said server; and

(e) posting the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal.

5. A client terminal connecting a server through a network and collaborating with other client terminals connected to said network, said client terminal comprising:

(a) a screen range selector for specifying a screen range in response to operation for specifying screen range by an operator;

(b) an image file generator for acquiring an image according to said screen range and generating an image file;

(c) a file acquisition for acquiring an original name from said server;

(d) an image file converter for converting said image file to generate a predetermined formed compressed image data;

(e) a file transmitter for sending to said server said predetermined formed compressed image data which has a file name relating to said original name; and

(f) a posting division for posting the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal.

7. A communication system having a first and a second client terminal connecting with a network and a server connecting said first and a second terminal through said network, said communication system comprising:
the first client terminal comprising:

(a1) an image file generator for, in response to operation for specifying a screen range by an operator, generating an image file according to said operation;

(a2) a file name acquisition division for acquiring an original name from said server;

(a3) an image file converter for converting said image file to generate a predetermined formed compressed image data;

(a4) a file transmitter for sending to said server said predetermined formed compressed image data which has a file name relating to said original name; and

(a5) a posting division for posting the name of said predetermined formed compressed image data to said second client terminal, and

(b) a server comprising a file name generator for generating an original name capable of uniquely identifying said first client terminal in response to a request from said first client terminal and posting it to said first client terminal; and

(c) a second client terminal for displaying said predetermined formed compressed image data of said server on a Web browser on said second client terminal based on the name of said predetermined formed compressed image data sent from said first client terminal.

8. A storage medium storing a software product for connecting a server through a network and controlling communication performed on a communication system having a client terminal collaborating with other client terminals connected to said network, said software product comprising the program codes for:

(a) directing said client terminal to generate an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range;

(b) directing said client terminal to acquire an image file name from said server;

(c) directing said client terminal to convert said image file and generate a predetermined formed compressed image data which has a file name relating to said image file name acquired from said server;

(d) directing said client terminal to send predetermined formed compressed image data to said server; and

(e) directing said client terminal to post the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal.

12. The method of claim 1, wherein the operator specifies a screen range of said client terminal by manipulating a mouse to define a frame, wherein the frame encloses the screen range.

13. The method of claim 1, wherein the operator specifies a screen range of said client terminal by selecting an application window, wherein a frame of the application window defines the screen range.
14. The method of claim 1, further comprising:
acquiring a device context of a desktop window; and
generating a desktop window image corresponding to the device context of the desktop window, wherein the screen range is a portion of the desktop window.
15. The method of claim 1, wherein the operator of said client terminal specifies the screen range during a capture mode.
16. The method of claim 15, further comprising:
suspending the capture mode;
receiving input from the operator to activate a hidden window image; and
resuming the capture mode.
17. The client terminal of claim 5, wherein the operator specifies a screen range of said client terminal by manipulating a mouse to define a frame, wherein the frame encloses the screen range.

18. The client terminal of claim 5, wherein the operator specifies a screen range of said client terminal by selecting an application window, wherein a frame of the application window defines the screen range.

19. The client terminal of claim 5, wherein the screen range selector acquires a device context of a desktop window and generates a desktop window image corresponding to the device context of the desktop window, wherein the screen range is a portion of the desktop window.

20. The storage medium of claim 8, wherein the operator specifies a screen range of said client terminal by manipulating a mouse to define a frame, wherein the frame encloses the screen range.

21. The storage medium of claim 8, wherein the operator specifies a screen range of said client terminal by selecting an application window, wherein a frame of the application window defines the screen range.

22. The storage medium of claim 8, said software product further comprising the program codes for:

directing said client terminal to acquire a device context of a desktop window; and

directing said client terminal to generate a desktop window image corresponding to the device context of the desktop window, wherein the screen range is a portion of the desktop window.

23. The storage medium of claim 8, wherein the operator of said client terminal specifies the screen range during a capture mode.

24. The storage medium of claim 23, said software product further comprising the program codes for:

directing said client terminal to suspend the capture mode;

directing said client terminal to receive input from the operator to activate a hidden

window image; and

directing said client terminal to resume the capture mode.

EVIDENCE APPENDIX

There is no evidence to be presented.

RELATED PROCEEDINGS APPENDIX

There are no related proceedings.